

ordered to be engrossed for a third reading, read the third time, and passed, as amended.

(The text of the bill will be printed in a future edition of the RECORD.)

G.V. "SONNY" MONTGOMERY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. WARNER. Mr. President, with respect to H.R. 5122, Calendar Order No. 431, the House-passed version of the National Defense Authorization Act for fiscal year 2007, I ask unanimous consent that the Senate turn to its immediate consideration, that all after the enacting clause be stricken and the text of S. 2766, as passed, be submitted in lieu thereof, that the bill be advanced to third reading and passed, and that the Senate insist on its amendment to the bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two Houses and the Chair be authorized to appoint conferees; that the motion to reconsider the above-mentioned votes be laid upon the table; and that the foregoing occur without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 5122), as amended, was read the third time and passed.

The PRESIDING OFFICER appointed Senators WARNER, MCCAIN, INHOFE, ROBERTS, SESSIONS, COLLINS, ENSIGN, TALENT, CHAMBLISS, GRAHAM, DOLE, CORNYN, THUNE, LEVIN, KENNEDY, BYRD, LIEBERMAN, REED of Rhode Island, AKAKA, NELSON of Florida, NELSON of Nebraska, DAYTON, BAYH, and CLINTON conferees on the part of the Senate.

Mr. WARNER. Mr. President, I ask unanimous consent, with respect to S. 2766 and 2767, 2768, and 2769, just passed by the Senate, that if the Senate receives a message with respect to any of these bills from the House of Representatives, the Senate disagree with the House on its amendment or amendments to the Senate-passed bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two Houses, that the Chair be authorized to appoint conferees; and that the foregoing occur without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I again thank all of our colleagues in the Chamber, the floor staff, and so many others, indeed our new group of pages, indeed, the distinguished professional staff who are at the dais this moment, none of them looking at me or paying any attention to what I say, may I express my profound appreciation to them and to the many reporters who come silently, do their work and disappear with equal silence, unnoticed, but who provide this great body with a

flawless record of accuracy. I thank each and every one.

If there is no other Senator seeking recognition, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent to speak for 5 minutes, followed by Senator TALENT and following that, as much time as Senator BYRD might consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. CANTWELL. Mr. President, I rise today to thank the distinguished Senator from Virginia, Mr. WARNER, and Senator LEVIN of Michigan for their leadership in getting this legislation passed and for accepting language from legislation that I have sponsored, the National Guard Equipment Accountability Act, and making it part of the Defense authorization bill we just passed. They have done an outstanding job managing this legislation on the floor.

I also thank the Senator from Delaware, Mr. BIDEN, the Senator from Connecticut, Mr. DODD, and the cochair of the Senate National Guard Caucus, Mr. LEAHY, who also cosponsored this important legislation.

As a nation, we have a solemn duty to honor, prepare and properly equip all the men and women in uniform. The National Guard and Reserve are an essential part of our national defense, and confronting our enemies in distant lands is one of their obligations. Responding to threats here at home is another. In Washington State, the threats of volcanos, tsunamis, and other natural disasters are never far from our minds. We are aware of our porous northern border and the threat that poses to our safety and security. We know that the National Guard is not only the first line of response but also the first line of defense. Whether it is Mount St. Helens or floods or a variety of issues, we know the National Guard in Washington State has been there when we need them most.

They do more than just preserve our security at home. Thousands of National Guard members are currently deployed in Iraq and Afghanistan—in fact, there are about 500 members of the Washington National Guard deployed overseas. All of those serving in the National Guard make great sacrifices. They accept enormous responsibilities to help us. We owe it to them to make sure their missions are successful and that National Guard members have the resources they need to execute their missions.

Right now, I want to make sure we are upholding our part of the bargain. When our Reserves and National Guard are deployed on operations overseas, they are deployed with equipment from their unit. They go to their mission with the tools that they have trained with—familiar humvees, radios, trucks, whatever it takes to make them successful. While they serve abroad, their equipment actually becomes part of

the greater mission. As a result, when these men and women return home to places like Camp Murray, their equipment often does not return with them. It is left behind, helping other Guard units complete their portion of the mission and to fill in where there are gaps in supplies. The problem is that we have no plan to help the National Guard and Reserve units deal with the loss of that equipment. These returning units are left underequipped and lacking the equipment necessary for continued training for their next deployments.

That is why I offered this language to make sure that we are taking care of this shortfall. According to the Department of Defense, the Army National Guard has left more than 75,000 items valued at \$1.7 billion overseas in ongoing operations. So that is why this language was so important to add to the Defense bill.

Last October, the Government Accountability Office found that at the time the Army, in leaving this equipment and resources behind, did not have a replacement plan. So specifically my amendment codifies language telling the Department of Defense to provide our men and women in uniform with the protection and resources they deserve. The language requires a tracking system of all this equipment and for a replacement plan to make sure that these men and women get the equipment they need in the theaters of operation, when they return home—enabling them to plan ahead for their next mission.

Finally, my amendment would also require a memorandum of understanding, specifying exactly how equipment will be tracked and when it will be returned. This will help our National Guard and Reserve units plan ahead for future obligations and missions. Given the current equipment situation and aggressive use of our National Guard, I believe it is critical that we have them fully equipped for both their missions at home and abroad.

Again, I thank the Senators for helping to get this language into the Defense authorization bill. Our soldiers, our Active Duty, our Reserve units, and the men and women of the Guard have chosen to stand and serve our country with pride and to sacrifice and accept enormous responsibility. We, too, have the responsibility of giving them the resources they need to fulfill their mission. I know this legislation will help them do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. TALENT. Mr. President, I thank the Senator from West Virginia for allowing me to go ahead of him for a moment or two. I do want to take a few minutes to talk about an amendment which I cosponsored with Senator NELSON of Florida that passed the Senate in the Defense bill and that addresses a problem which has been growing and

which is affecting the readiness of our Armed Forces.

The fact is, predatory payday lenders are targeting American troops and are trying to make a buck off of their service to our country. We rely on the military to protect us, and we have just taken a significant step to protect them from predatory lenders. The Nelson-Talent amendment limits the annual percentage rate that payday lenders can charge soldiers and their spouses to 36 percent or about 1½ to 2 times what credit cards typically charge. I recognize that payday lending can be a risky business, but a triple-digit interest rate, which is commonly charged today, is simply too much.

Some estimate that the average APR on a payday loan today is over 400 percent, and there have been reports of payday loans with more than 800 percent interest rates. This is a national problem. Predatory payday lenders set up shop near our military bases throughout the country and prey on our servicemembers. We know about this problem in Missouri. We have the unfortunate distinction of having a relatively large number and high density of payday lenders around our largest military base, Fort Leonard Wood, in Pulaski County. It is a great base with a lot of service men and women in it. As a result, there are a lot of payday lenders around. St. Robert, which is a small gateway town near the base, only has 5,200 residents but has eight payday lenders. Examples such as St. Robert led professors at the University of Florida and California State University to say that "irrefutable geographic evidence demonstrates that payday lenders are actively and aggressively targeting U.S. military personnel." Military families pay an estimated \$80 million annually in payday loan fees.

The problem not only affects military families' financial well-being, it directly impacts troop readiness because these young men and women, many of whom are just out of high school, are not financially sophisticated and fall way behind in these payments. They have to go bankrupt, and then that affects their ability to get security clearances.

In this month's issue of *Seapower* magazine, Admiral Mike Mullen, Chief of Naval Operations, U.S. Navy, said, "A sailor's financial readiness directly impacts unit readiness and the navy's ability to accomplish its mission . . . I am concerned with the number of sailors who are taken advantage of by predatory lending practices, the most common of which is the payday loan."

The Deputy Undersecretary of Defense for Military Community and Family Policy, John Molino, has also said this problem "affects unit readiness."

Master Chief Petty Officer of the Navy, Terry Scott, has said "the No. 1 reason our sailors are forced from one job to another is because they lose their security clearance . . . and the No. 1 reason they lose their security

clearance is because of financial difficulties."

The number of security clearances of sailors and Marines that were revoked or denied due to financial problems have soared from 124 in FY 2000 to 1,999 in 2005. The total for the 6-year period is 5,482. And, that's just for one of the departments.

The impact on readiness is one of the serious ramifications of this problem. But, another consequence is that some servicemembers have ruined their financial lives by taking out payday loans—that automatically rollover—at exorbitant rates they can never payoff.

Navy Petty Officer 2nd Class Jason Withrow, stationed on a nuclear submarine at Kings Bay Naval Submarine Base in Georgia, took a \$300 payday loan in summer 2003. He borrowed more to service the fee, and by February 2004, he'd paid about \$5,000 in interest on \$1,800 in payday loans at four different lenders.

Army Specialist Myron Hicks, stationed at Fort Stewart, GA, borrowed \$1,500 for a car repair. He paid back \$3,000—twice what he borrowed. I could give a hundred stories like that.

Cristie Worrow, a 29-year-old petty officer second class at the Naval Air Reserve in Jacksonville, FL, took out a \$500 payday loan in 1998. Over 3 years she had two more loans and was paying fees that sometimes reached \$200 per month. Eventually, she had paid \$2,400 in fees.

Our troops deserve uniform, national protection against abusive financial practices that target them. This is clearly a step in the right direction.

An impressive list of military and veteran service organizations, with over 5.5 million members, support the legislation. The Military Coalition includes the Association of the United States Army (AUSA), Military Officers Association of America (MOAA), Veterans of Foreign Wars (VFW), Navy League of the United States (NLUS), Air Force Association (AFA), and Marine Corps League (MCL).

The Undersecretary of Defense for Personnel and Readiness, Dr. David Chu, has expressed his support for the legislation. He has said the legislation "provides reasonable and appropriate limits."

Numerous consumer groups like the Center for Responsible Lending, Consumer Federation of America, and Institute of Consumer Financial Education also support the bipartisan amendment.

Mr. President, I feel strongly that we can hold this amendment in conference. I thank the chairman and ranking member. They know how bad this problem is. I am grateful for their help in getting this in the bill. Chairmen CRAIG and SHELBY of the Veterans' and Banking Committees were cooperative in getting this on the bill. I trust our colleagues and friends in the House will understand the importance of holding this amendment.

This abuse of payday lending is compromising the readiness of the U.S.

military. The problem has become that big. It is ruining the financial lives of thousands of our service men and women who unknowingly, because of their lack of sophistication, get into debts from these abusive lenders, far greater than they are able to pay.

We have put a stop to that with this amendment. We need to hold it in conference committee. I am confident we will be able to do that. I look forward to working with the Senate and the House to pass this provision into law on behalf of our troops.

I yield the floor.

Mr. WARNER. Mr. President, I thank our colleague from Missouri. He worked very diligently on this amendment. It is another example of how we must reach down from time to time and provide a caring hand for particularly those young men and women in uniform today who, unfortunately, can be victimized because of their individual needs and requirements at a special time. I believe this amendment will go a long way to remedy that situation. I congratulate the Senator for his hard work.

Mr. TALENT. Mr. President, I thank the chairman and appreciate his and Senator LEVIN's work on this amendment.

MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that there be a period of morning business with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia is recognized.

TRIBUTE TO SENATOR JOHN WARNER

Mr. BYRD. Mr. President, I have come to the floor this evening to congratulate my esteemed colleague, the very distinguished and able and honorable and highly respected chairman of the Senate Armed Services Committee, on the completion of his final Defense authorization bill.

He is my chairman, Mr. President. His tenure at the helm of the Armed Services Committee, on which I have the privilege to serve, has been eventful and very distinguished. But then distinguished tenure is not unusual for this Virginia gentlemen—another term I use lovingly and fondly and respectfully because it means something to me, having been in this Senate now for almost 48 years, having been on the Appropriations Committee for almost 48 years, having been on the Armed Services Committee for almost that long. This is a very special man—a Virginia gentleman in every sense of the term. I say this with the utmost admiration. Distinguished tenure is not unusual for this Virginia gentlemen, whose entire life has been spent in the service to his country, to his great State, the Commonwealth of Virginia, the cradle of Presidents.